

General rule

The hours of service rules apply to all motor carriers and drivers, with exceptions found in paragraphs (b) through (o) of Section 395.1.

Property-Carrying Operations:

11-hour rule - Drivers are allowed to drive for eleven hours following 10 consecutive hours off duty.

14-hour rule - A motor carrier cannot permit or require a driver to drive after the 14th hour after coming on duty following 10 consecutive hours off duty, except when complying with section 395.1(o).

16-hour Exception - A property-carrying CMV driver may extend the 14-hour on-duty period by 2 additional hours twice every 7 days if they:

- The driver operates within a 150 air-mile radius of the location where the driver reports to and is released from work, *i.e.*, the normal work reporting location;
 - The driver returns to the normal work reporting location at the end of each duty tour.
- The driver does not drive:
 - After the 14th hour after coming on duty on 5 days of any period of 7 consecutive days; and
 - After the 16th hour after coming on duty on 2 days of any period of 7 consecutive days

60 and 70-hour rules - A motor carrier must not permit or require a driver to drive after a total of:

- 60 hours on duty in 7 consecutive days (carrier does not operate CMVs every day of the week),
OR
- 70 hours on duty in 8 consecutive days (carrier operates CMVs every day of the week), **AND**
- An off duty period of 34 or more consecutive hours may restart a driver's 7 or 8 consecutive day period as long as the driver has not exceeded 60 or 70-hours on duty.

Passenger-Carrying Operations:

10-hour rule - Drivers are allowed to drive for 10 hours following 8 consecutive hours off duty.

15-hour rule - A motor carrier cannot permit or require a driver to drive after 15 hours are spent on duty following 8 consecutive hours off duty.

60 and 70-hour rules - A motor carrier must not permit or require a driver to drive after a total of:

- 60 hours on duty in 7 consecutive days (carrier does not operate CMVs every day of the week),
or
- 70 hours on duty in 8 consecutive days (carrier operates CMVs every day of the week).

Note: If a property or passenger-carrying driver works more than one job of any kind, that time must also be included as On Duty Time.

Driver's record of duty status/CFR 395.8:

Except for a private motor carrier of passengers (nonbusiness), as defined in §390.5 of this subchapter, a motor carrier subject to the requirements of this part must require each driver used by the motor carrier to record the driver's duty status for each 24-hour period using the method prescribed in paragraphs (a)(1)(i) through (iv) of this section, as applicable.

Subject to paragraphs (a)(1)(ii) and (iii) of this section, a motor carrier operating commercial motor vehicles must install and require each of its drivers to use an ELD to record the driver's duty status in accordance with subpart B of this part no later than December 18, 2017.

A motor carrier that installs and requires a driver to use an automatic on-board recording device in accordance with §395.15 before December 18, 2017 may continue to use the compliant automatic on-board recording device no later than December 16, 2019.

A motor carrier may require a driver to record the driver's duty status manually in accordance with this section, rather than require the use of an ELD, if the driver is operating a commercial motor vehicle:

- In a manner requiring completion of a record of duty status on not more than 8 days within any 30-day period;
- In a driveaway-towaway operation in which the vehicle being driven is part of the shipment being delivered;
- In a driveaway-towaway operation in which the vehicle being transported is a motor home or a recreation vehicle trailer; or
- That was manufactured before model year 2000, as reflected in the vehicle identification number as shown on the vehicle's registration.

No driver or motor carrier may disable, deactivate, disengage, jam, or otherwise block or degrade a signal transmission or reception, or reengineer, reprogram, or otherwise tamper with an automatic on-board recording device or ELD so that the device does not accurately record and retain required data.

No driver or motor carrier may permit or require another person to disable, deactivate, disengage, jam, or otherwise block or degrade a signal transmission or reception, or reengineer, reprogram, or

otherwise tamper with an automatic on-board recording device or ELD so that the device does not accurately record and retain required data.

Short-haul Operations/150 air-mile radius exemption:

A driver is exempt from maintaining the driver's daily log requirements of Section 395.8 and 395.11 if all of the following are true:

- The driver operates within a 150 air-mile radius (172.6 statute miles) of the normal work reporting location;
- The driver, except a driver-salesperson, returns to the work reporting location and is released from work within 14 consecutive hours;
- The driver does not exceed a maximum of:
 - 11 hours driving time following 10 consecutive hours off duty for property-carrying drivers, or
 - 10 hours driving time following 8 consecutive hours off duty for passenger-carrying drivers.
- A property-carrying commercial motor vehicle driver has at least 10 consecutive hours off-duty separating each 14 hours on-duty;
- A passenger-carrying commercial motor vehicle driver has at least 8 consecutive hours off-duty separating each 14 hours on-duty; and
- The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:
 - The time the driver reports for duty each day;
 - The total number of hours the driver is on-duty each day;
 - The time the driver is released from duty each day; and
 - The total time for the preceding 7 days in accordance with §395.8(j)(2) for drivers used for the first time or intermittently.